

Department of Labor & Industries
WISHA SERVICES DIVISION
PO Box 44604
Olympia, WA 98504-4604

Inspection Number: 306424391
Inspection Dates: 09/03/2003 - 12/30/2003
Issuance Date: 02/20/2004
CSHO ID: L2177
Optional Inspection Nbr: H20393217



Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L
Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 2 Item 1 Type of Violation: **General**

296-27-01119(1)

Quan's Construction Services LLC did not use a OSHA 300 log or equivalent form to document recordable workplace injuries and illnesses suffered by Quan's Construction Services LLC employees at the Rainier Brewery worksite.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 100.00

Citation 2 Item 2 Type of Violation: **General**

296-62-07347(16)(b)(i)

Quan's Construction Services LLC had not posted signs demarcating regulated areas bearing the legend:

DANGER
INORGANIC ARSENIC
CANCER HAZARD
AUTHORIZED PERSONNEL ONLY
NO SMOKING OR EATING
RESPIRATOR REQUIRED

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 0.00

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Citation 2 Item 3 Type of Violation: **General**

296-155-110(5)

Quan's Construction Services LLC was not conducting crew leader-crew safety meetings at the beginning of the Rainier Brewery job and at least weekly thereafter.

MESSAGE:

Crew leader-crew safety meetings shall address the following:

- A review of any walk-around safety inspection conducted since the last safety meeting
- A review of any citation to assist in correction of hazards.
- An evaluation of any accident investigations conducted since the last meeting to determine if the cause of the unsafe acts or unsafe conditions involved were properly identified and corrected.
- Attendance and subjects discussed shall be documented.
- Minutes of each crew leader-crew meeting shall be prepared and a copy shall be maintained at the location where the majority of the employees of each construction site report for work each day.
- Minutes of crew leader-crew safety meetings shall be retained by the employer for at least one year and shall be made available for review by personnel of the department, upon request.

MESSAGE:

Every employer shall conduct walk-around safety inspections at the beginning of each job, and at least weekly thereafter. A walk-around safety inspection shall be conducted jointly by one member of management and one employee, elected by the employees, as their authorized representative. The employer shall document walk-around safety inspections and such documentation shall be available for inspection by personnel of the department. Records of walk-around inspections shall be maintained by the employer until the completion of the job.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 0.00

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Company Name: QUAN'S CONSTRUCTION SERVICES L
Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 2 Item 4 Type of Violation: **General**

296-800-19005

Quan's Construction Services LLC had not provided a safety bulletin board at the Rainier Brewery worksite.

MESSAGE:

Employers must install and maintain a safety bulletin board in every fixed workplace that has 8 or more employees.

Employers must insure that the safety bulletin board is large enough to post safety bulletins, safety newsletters, safety posters, accident statistics, and other safety educational material.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 0.00

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Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 2 Item 5 Type of Violation: **General**

296-800-20005

Quan's Construction Services LLC had not posted the WISHA poster where it could easily be seen by employees that worked at the Rainier Brewery jobsite.

MESSAGE

Employers can obtain a free copy of Labor and Industries posters from any Labor and Industries office or by printing it from the website <http://www.lni.wa.gov/ipub/101-054-000.pdf>. Find the closest Labor and Industries office by calling 1-800-423-7233 or log onto www.lni.wa.gov/wisha/rules/customerservice/askwisha.htm

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 100.00

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Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L
Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 2 Item 6 Type of Violation: General

296-817-20020

Quan's Construction Services LLC had not trained all employees demolishing tanks at the Rainier Brewery whose noise exposures exceeded an 8-hour time-weighted average of 85 dBA.

This violation was corrected at the time of inspection.

ATTENTION EMPLOYER, IF YOU HAVE ANY QUESTIONS OR ARE IN NEED
OF CLARIFICATION IN REFERENCE TO THIS CITATION, PLEASE CALL
THE COMPLIANCE SUPERVISOR AT (206) 515-2880.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 0.00

Michael A. Silverstein
Assistant Director, WISHA SERVICES

NOTICE OF RIGHTS AND DUTIES REGARDING THIS CITATION

Pursuant to the Washington Industrial Safety and Health Act (Chapter 49.17 RCW)

CITATION AND NOTICE OF ASSESSMENT - ABATEMENT - POSTING

The nature and location of a condition or conditions alleged to be in violation of Washington's safety and health standards are described on this citation with references to acceptable standards, rules, regulations and provisions of the Washington Industrial Safety and Health Act.

These conditions must be corrected on or before the date shown for each citation item (date to the right of "Date By Which Violation Must be Abated:"). (RCW 49.17.120).

The Act requires that a copy of the citation(s) be immediately and prominently posted at or near each place a violation referred to in the citation occurred (RCW 49.17.120). It must remain posted until all violations cited therein are corrected, or for 3 working days, whichever period is longer (WAC 296-800-35016). A sufficient number of copies of the citation(s) should be prepared to permit posting in accordance with the requirements of the Act.

RIGHTS OF EMPLOYER

Appeal of Citation and Notice of Assessment

This CITATION & NOTICE OF ASSESSMENT shall be deemed to be a final order of the Department and not subject to review by any court or agency unless, within fifteen (15) working days from the receipt of this CITATION & NOTICE OF ASSESSMENT, the employer submits a Notice of Appeal. A Notice of Appeal should be mailed or otherwise delivered to the Assistant Director for WISHA Services Division at PO Box 44604, Olympia, Washington 98504-4604. The term "working day" means a calendar day except Saturdays, Sundays, and all legal holidays as set forth in RCW 1.16.050 (RCW 49.17.140 and 49.17.020(9)).

The employer may appeal any or all of the violation(s) cited, or any or all of the proposed penalties, or any combination of these.

A Notice of Appeal filed pursuant to RCW 49.17.140 should contain the following:

- (1) The name and address of the appealing party and representative, if any.
- (2) The place where the alleged violation occurred.
- (3) A statement identifying the citation (citation number and date of issuance).
- (4) The grounds upon which the appealing party considers the order, decision or citation to be unjust or unlawful.
- (5) A statement of facts in support of each of the grounds stated.
- (6) The relief sought, including the specific nature and extent.
- (7) A statement that the person signing the notice of appeal believes there are grounds to support it.

Extension of Abatement Date(s)

If the employer is making a good faith effort to abate the condition(s) in violation of the cited standard(s) but is unable to do so within the time period set for abatement, the employer may apply to the Department, before the abatement date, for an extension (RCW 49.17.140). See WAC 296-800-35056 through 296-800-35072 for rules relating to the extension of abatement dates. An appeal need not be filed to request extension of abatement dates.

RIGHTS OF EMPLOYEES OR REPRESENTATIVES OF EMPLOYEES

An employee or representative of employees may file a Notice of Appeal of the time(s) stated in the citation for the abatement of the alleged violation(s) (RCW 49.17.140). To do so, a Notice of Appeal must be sent to the Office of the Assistant Director for WISHA Services Division, Department of Labor & Industries, PO Box 44604, Olympia, Washington 98504-4604, within 15 working days from receipt of the notice. See the Rights of Employer Section above for the appropriate contents of such Notice of Appeal.

No person shall discharge or discriminate against any employee because such employee has exercised rights guaranteed him/her by the Act.

REASSUMPTION OF JURISDICTION

Upon receipt of a Notice of Appeal, the Department may reassume jurisdiction over all or any part of the subject matter of the appeal. Should jurisdiction over the matter be reassumed, the Department will issue to all affected parties a Notice of Reassumption and Informal Conference. Following a redetermination of the matter, a Corrective Notice of Redetermination will be issued (RCW 49.17.140). Such Corrective Notice shall be issued within 30 working days from the Department's receipt of the appeal notice.

ORDER FINAL IF NOT APPEALED

If a Notice of Appeal is not filed within the 15 working day period, the citation(s) and penalty assessment(s) shall be deemed final and not subject to review by any court or agency (RCW 49.17.140).

Payment of all penalties shown is to be made by check or money order payable to the order of "Department of Labor and Industries." Payment of penalties should be remitted to the WISHA Services Division Management Services/Accounting, PO Box 44835, Olympia, Washington 98504-4835. Interest of 1% per month will be charged on past due accounts per RCW 43.17.240. If the Citation is appealed, interest will not accrue until a final order has been issued.

RCW 49.17.180 states: "Civil penalties imposed under this chapter shall be paid to the Director for deposit in the supplemental pension fund established by RCW 51.44.033. Civil penalties may be recovered in a civil action in the name of the department brought in the superior court of the county where the violation is alleged to have occurred, or the department may utilize the procedures for collection of civil penalties as set forth in RCW 51.48.120 through 51.48.150."

ABATEMENT

Alleged violations that are not appealed shall be corrected within the abatement period specified in the citation. Written verification of correction must be submitted to the Department and must be posted with the Citation and Notice for at least 3 working days (WAC 296-800-35016). Failure to correct alleged violations within the abatement period may result in a further proposed assessment of penalties (RCW 49.17.140).

A follow up inspection may be made for the purpose of ascertaining that the employer has posted the citation(s) as required by the Act AND has corrected the alleged violations.

Inspection Activity Data

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation, but not sooner than 30 calendar days after the Citation Issuance Date. You are encouraged to review the information concerning your establishment at WWW.OSHA.GOV. If you have any dispute with the accuracy of the information displayed, please contact the Assistant Director for WISHA Services Division at P.O. Box 44604, Olympia, Washington 98504-4604.

Department of Labor & Industries

WISHA SERVICES DIVISION

Management Services / Accounting

P.O. Box 44835

Olympia, WA 98504-4835



To:

QUAN'S CONSTRUCTION SERVICES L

2317 17TH Ave S

Seattle, WA 98144

Inspection Date(s): 09/03/2003-12/30/2003

Issuance Date: 02/20/2004

Optional Report #: H20393217

Reporting I.D.: 1055320

U.B.I. #: 602138791

CSHO: L2177

Inspection Site:

3100 Airport Way S former Rainier Brewery

Seattle, WA 98101

INVOICE

Summary of Penalties for Inspection Number 306424391

Citation 1, Serious = \$ 26250.00

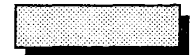
Citation 2, General = \$ 200.00

TOTAL PROPOSED PENALTIES = \$ 26450.00

This is an invoice for penalties owed the Department of Labor and Industries. Payment is due within 15 days unless appealed. See appeal rights on "Notice of Rights and Duties Regarding This Citation" enclosed with the Citation and Notification.

To ensure proper credit, please return a copy of this invoice with your payment. Make checks payable to the Department of Labor and Industries and mail to the above address.

Please indicate amount paid:



Department of Labor & Industries

WISHA SERVICES DIVISION

PO Box 44604

Olympia, WA 98504-4604



To:
QUAN'S CONSTRUCTION SERVICES L
2317 17TH Ave S
Seattle, WA 98144

Inspection Site:
Former Rainier Brewery
3100 Airport Way S
Seattle, WA 98101

Inspection Number: 306424391
Inspection Date(s): 09/03/2003-12/30/2003
Issuance Date: 02/20/2004
Optional Report #: H20393217
Reporting I.D.: 1055320
U.B.I.#: 602138791
CSHO: L2177

Citation and Notice of Assessment

A copy of this **Citation & Notice of Assessment** must be prominently posted immediately upon receipt at or near each place a violation occurred or at a location where employees normally receive posted information (RCW 49.17.120). It must remain posted until all violations cited therein are corrected, or for three (3) days, whichever period is longer.

SEE ATTACHED NOTICE OF RIGHTS AND DUTIES REGARDING THIS CITATION

Penalties are due within 15 days of receipt of this notification unless appealed.

Make check or money order payable to
DEPARTMENT OF LABOR & INDUSTRIES
Include Inspection Number on remittance.

**CERTIFICATION OF ABATEMENT IS REQUIRED FOR ALL VIOLATIONS
NOT CORRECTED AT THE TIME OF INSPECTION**

NATURE OF ALLEGED VIOLATIONS OBSERVED DURING INSPECTION
UNLESS OTHERWISE NOTED ALL CITATIONS ARE TO TITLE 296 WAC

Department of Labor & Industries

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Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L

Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 1 Type of Violation: Serious

296-62-07107(1)

Quan's Construction Services LLC had not developed and implemented a written respiratory protection program that adequately covered employee respirator use for protection against airborne lead and arsenic exceeding permissible exposure levels during the torch cutting of tanks at the Rainier Brewery.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 1500.00

Citation 1 Item 2 Type of Violation: Serious

296-62-07131(1)

Quan's Construction Services LLC had not provided, at no expense to employees, respirators and cartridges that employees torch cutting tanks at the Rainier Brewery were required to wear in order to protect against airborne lead and arsenic exceeding permissible exposure levels.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 1500.00

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Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L
Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 3 Type of Violation: **Serious**

296-62-07160

Fit testing had not been conducted for one of the Quan's Construction Services LLC tank torch cutting employee who was required to wear a respirator and was exposed, without regard to respirator use, to airborne arsenic and lead at concentrations greater than the permissible exposure levels.

MESSAGE

Fit testing must occur:

- Prior to initial use of the respirator;
- Whenever a different respirator facepiece (size, style, model or make) is used;
- At least annually thereafter; and
- Whenever the employee reports to you or your PLHCP observes changes in the employee's physical condition that could affect respirator fit. Such conditions include, but are not limited to, facial scarring, dental changes, cosmetic surgery, or an obvious change in body weight.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 1500.00

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Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L
Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 4 Type of Violation: Serious

296-62-07347(5)(b)

Quan's Construction Services LLC had a workplace, the Rainier Brewery jobsite, covered by the arsenic standard, but had not monitored the tank torch cutting and removal work activities to accurately determine the airborne concentration of inorganic arsenic to which employees were exposed.

MESSAGE

Determinations of airborne exposure levels shall be made from air samples that are representative of each employee's exposure to inorganic arsenic over an eight-hour period.

The employer shall establish and implement a written program to reduce exposures to or below the permissible exposure limit by means of engineering and work-practice controls.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 1500.00

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Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L
Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 5 Type of Violation: **Serious**

296-62-7347(7)(b)(1)

Quan's Construction Services LLC had not established and implemented a written program to reduce inorganic arsenic exposures at the Rainier Brewery jobsite to or below the permissible exposure limit by means of engineering and work-practice controls.

MESSAGE

Written plans for these compliance programs shall include at least the following:

- A description of each operation in which inorganic arsenic is emitted; e.g., machinery used, material processed, controls in place, crew size, operating procedures and maintenance practices;
- Engineering plans and studies used to determine methods selected for controlling exposure to inorganic arsenic;
- A report of the technology considered in meeting the permissible exposure limit;
- Monitoring data;
- A detailed schedule for implementation of the engineering controls and work-practices that cannot be implemented immediately and for the adoption and implementation of any additional engineering and work-practices necessary to meet the permissible exposure limit; and
- Whenever the employer will not achieve the permissible exposure limit with engineering controls and work-practices, the employer shall include in the compliance plan an analysis of the effectiveness of the various controls, shall install engineering controls and institute work-practices on the quickest schedule feasible, and shall include in the compliance plan and implement a program to minimize the discomfort and maximize the effectiveness of respirator use.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 1500.00

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Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L
Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 6 Type of Violation: **Serious**

296-62-07347(14)(a)(i)(A)

Quan's Construction Services LLC had not instituted a medical surveillance program for each employee at the Rainier Brewery jobsite having an inorganic arsenic exposure greater than 5 micrograms per cubic meter at least thirty days per year, and had not offered these employees the opportunity for an initial medical examination.

MESSAGE

The initial medical examination includes at least the following elements:

- A work history and a medical history which shall include a smoking history and the presence and degree of respiratory symptoms such as breathlessness, cough, sputum production and wheezing.
- A medical examination which shall include at least the following:
 - A 14 inches by 17 inches posterior-anterior chest x-ray and International Labor Office UICC/Cincinnati (ILO U/C) rating;
 - A nasal and skin examination; and
 - Other examinations which the physician believes appropriate because of the employees exposure to inorganic arsenic or because of required respirator use.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
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Company Name: QUAN'S CONSTRUCTION SERVICES L
Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 7a Type of Violation: Serious

296-62-7347(10)(a)

Quan's Construction Services, Inc. had not provided clean and appropriate protective work clothing and equipment for the tank torch cutting employees who, without regard to the use of respirators, were exposed to levels of inorganic arsenic in excess of the permissible limit.

MESSAGE

This clothing and equipment is to be made available at no cost to these employees in order to ensure that these employees use appropriate items such as, but not limited to:

- Coveralls or similar full-body work clothing;
- Gloves, and shoes or coverlets;
- Face shields or vented goggles when necessary to prevent eye irritation, which comply with the requirements of WAC 296-800-160.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 1500.00

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Citation and Notification of Penalty

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Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 7b Type of Violation: **Serious**

296-62-07347(10)(b)(i)

Quan's Construction Services, Inc. did not provide the protective clothing required by WAC 296-62-07347(10)(a) in a freshly laundered and dry condition at least weekly.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated: 09/05/2003

Citation 1 Item 7c Type of Violation: **Serious**

296-155-17615(1)

Quan's Construction Services LLC employees torch cutting (aka burning) tanks at the Rainier Brewery were exposed to lead above the permissible exposure level without regard to the use of respirators, but had not been provided with appropriate protective work clothing and equipment that prevent contamination of the employee and the employee's garments.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated: 09/05/2003

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Company Name: QUAN'S CONSTRUCTION SERVICES L
Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 7d Type of Violation: **Serious**

296-155-17615(2)(a)

Quan's Construction Services LLC did not provide the required protective clothing in a clean and dry condition at least weekly, and daily to employees whose exposure level without regard to a respirator was over 200 micrograms lead per cubic meter of air averaged over a 8-hour work shift.

MESSAGE

The employer shall provide for the cleaning, laundering, and disposal of this protective clothing and equipment. The employer shall repair or replace required protective clothing and equipment as needed to maintain their effectiveness.

The employer shall insure that all protective clothing is removed at the completion of a work shift only in the change areas.

The employer shall insure that contaminated protective clothing which is to be cleaned, laundered, or disposed of, is placed in a closed container in the change area which prevents dispersion of inorganic arsenic and lead outside the container.

The employer shall inform in writing any person who cleans or launders protective clothing or equipment of the potentially harmful effects of exposure to lead as well as the carcinogenic effects of exposure to inorganic arsenic.

The employer shall insure that the containers of contaminated protective clothing and equipment required by subdivision (e) of this subsection are labeled as follows:

Caution: Clothing contaminated with inorganic arsenic and lead. Do not remove dust by blowing or shaking. Dispose of inorganic arsenic and lead contaminated wash water in accordance with applicable local, state, or federal regulations

The employer shall prohibit the removal of inorganic arsenic and lead from protective clothing or equipment by blowing, shaking, or any other means which disperses lead into the air.

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Company Name: QUAN'S CONSTRUCTION SERVICES L
Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

This violation was corrected at the time of inspection.

The violations above have been grouped because they involve similar or related hazards that may increase the potential for illness and/or injury resulting from an exposure and/or accident.

Date By Which Violation Must be Abated: 09/05/2003

Citation 1 Item 8a Type of Violation: **Serious**

296-62-07347(13)(a)

Quan's Construction Services, LLC had not provided clean change rooms equipped with storage facilities for street clothes and separate storage facilities for protective clothing and equipment for the tank torch cutting employees working in areas where exposures to inorganic arsenic were in excess of the permissible limit.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated: 09/05/2003
Proposed Penalty: \$ 1500.00

Department of Labor & Industries

WISHA SERVICES DIVISION

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Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L

Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 8b Type of Violation: **Serious**

296-155-17619(2)(a)

Quan's Construction Services LLC did not provide clean change areas for employees who were torch cutting (aka burning) steel tanks covered with lead-containing paint at the Rainier Brewery and whose airborne exposure to lead during this activity was above the permissible exposure level without regard to the use of respirators.

MESSAGE

The employer shall insure that change areas are equipped with separate storage facilities for protective work clothing and equipment and for street clothes which prevent cross-contamination.

The employer shall insure that employees do not leave the workplace wearing any protective clothing or equipment that is required to be worn during the work shift.

This violation was corrected at the time of inspection.

The violations above have been grouped because they involve similar or related hazards that may increase the potential for illness and/or injury resulting from an exposure and/or accident.

Date By Which Violation Must be Abated: 09/05/2003

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Issuance Date: 02/20/2004
CSHO ID: L2177
Optional Inspection Nbr: H20393217



Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L
Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 9a Type of Violation: **Serious**

296-62-07347(13)(b)(i)

Quan's Construction Services LLC did not insure that employees tank torch cutting at the Rainier Brewery worksite and exposed to arsenic about the permissible exposure level showered at the end of the work shift.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 1500.00

Department of Labor & Industries
WISHA SERVICES DIVISION
PO Box 44604
Olympia, WA 98504-4604

Inspection Number: 306424391
Inspection Dates: 09/03/2003 - 12/30/2003
Issuance Date: 02/20/2004
CSHO ID: L2177
Optional Inspection Nbr: H20393217



Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L
Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 9b Type of Violation: **Serious**

296-155-17619(3)(a)

Quan's Construction Services LLC had not provided shower facilities, where feasible, for use by employees who were torch cutting (aka burning) steel tanks covered with lead-containing paint at the Rainier Brewery and whose airborne exposure to lead during this activity was above the permissible exposure level without regard to the use of respirators.

MESSAGE

The employer shall insure, where shower facilities are available, that employees shower at the end of the work shift and shall provide an adequate supply of cleansing agents and towels for use by affected employees.

The employer shall provide shower facilities in accordance with WAC 296-24-12009(3) which has been superseded by WAC 296-800-230

Per WAC 296-800-23065

Along with the showers, the employer is required to provide soap or other cleansing agents, hot and cold water to shower with a common discharge line, clean towels for each employee who is required to shower.

The employer is required to have one shower for every ten employees (or every fraction of 10) of each gender.

This violation was corrected at the time of inspection.

The violations above have been grouped because they involve similar or related hazards that may increase the potential for illness and/or injury resulting from an exposure and/or accident.

Date By Which Violation Must be Abated: 09/05/2003

Department of Labor & Industries
WISHA SERVICES DIVISION
PO Box 44604
Olympia, WA 98504-4604

Inspection Number: 306424391
Inspection Dates: 09/03/2003 - 12/30/2003
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CSHO ID: L2177
Optional Inspection Nbr: H20393217



Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L
Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 10a Type of Violation: **Serious**

296-62-07347(13)(c)(i)

Quan's Construction Services LLC had not provided employees working in areas where exposures to inorganic arsenic were in excess of the permissible limit with lunchroom facilities which had temperature controlled, positive pressure, filtered air supply, and which were readily accessible to employees working in regulated areas.

MESSAGE

The employer shall assure that employees working in the regulated area or subject to the possibility of skin or eye irritation from exposure to inorganic arsenic wash their hands and face prior to eating.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 1500.00

Department of Labor & Industries

WISHA SERVICES DIVISION

PO Box 44604

Olympia, WA 98504-4604

Inspection Number: 306424391

Inspection Dates: 09/03/2003 - 12/30/2003

Issuance Date: 02/20/2004

CSHO ID: L2177

Optional Inspection Nbr: H20393217



Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L

Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 10b Type of Violation: Serious

296-155-17619(4)(d)

Quan's Construction Services LLC did not insure that employees entering lunchroom facilities or eating areas while wearing lead-contaminated protective work clothing or carrying contaminated equipment took precautions to remove lead dust by vacuuming, downdraft booth, or other cleaning method that limits dispersion of lead dust.

MESSAGE

The employer shall provide lunchroom facilities or eating areas for employees whose airborne exposure to lead is above the permissible exposure level, without regard to the use of respirators.

The employer shall insure that lunchroom facilities or eating areas are as free as practicable from lead contamination and are readily accessible to employees.

The employer shall insure that employees whose airborne exposure to lead is above the PEL, without regard to the use of a respirator, wash their hands and face prior to eating, drinking, smoking or applying cosmetics.

This violation was corrected at the time of inspection.

The violations above have been grouped because they involve similar or related hazards that may increase the potential for illness and/or injury resulting from an exposure and/or accident.

Date By Which Violation Must be Abated: 09/05/2003

Department of Labor & Industries
WISHA SERVICES DIVISION
PO Box 44604
Olympia, WA 98504-4604

Inspection Number: 306424391
Inspection Dates: 09/03/2003 - 12/30/2003
Issuance Date: 02/20/2004
CSHO ID: L2177
Optional Inspection Nbr: H20393217



Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L
Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 11a Type of Violation: **Serious**

296-62-07347(13)(d)

Quan's Construction Services LLC did not provide adequate handwashing facilities for use by employees exposed to inorganic arsenic in accordance with WAC 296-800-230.

MESSAGE

Per WAC 296-155-140 and 296-800-230, 1) Clean, tepid wash water, between 70 and 100 degrees Fahrenheit, shall be provided at all construction sites. 2) Individual hand towels shall be provided. Both a sanitary container for the unused towels and a receptacle for disposal of used towels shall be provided. 3) Hand soap, industrial hand cleaner or similar cleansing agents shall be provided. Cleansing agents shall be adequate to remove any paints, coatings, herbicides, insecticides or other contaminants. 4) Wash water areas will be maintained in a dry condition. Slipping or other hazards shall be eliminated from the wash water area before it is acceptable for use.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 1500.00

Department of Labor & Industries
WISHA SERVICES DIVISION
PO Box 44604
Olympia, WA 98504-4604

Inspection Number: 306424391
Inspection Dates: 09/03/2003 - 12/30/2003
Issuance Date: 02/20/2004
CSHO ID: L2177
Optional Inspection Nbr: H20393217



Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L
Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 11b Type of Violation: **Serious**

296-155-17619(5)(a)

Quan's Construction Services LLC did not provide adequate handwashing facilities for use by employees exposed to lead in accordance with WAC 296-155-140.

This violation was corrected at the time of inspection.

The violations above have been grouped because they involve similar or related hazards that may increase the potential for illness and/or injury resulting from an exposure and/or accident.

Date By Which Violation Must be Abated: 09/05/2003

Citation 1 Item 12a Type of Violation: **Serious**

296-62-07347(15)(a)(1)

Quan's Construction Services LLC had not developed and implemented a training program that covered arsenic to which employees torch cutting tanks at the Rainier Brewery were exposed.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated: 09/05/2003
Proposed Penalty: \$ 1500.00

Department of Labor & Industries

WISHA SERVICES DIVISION

PO Box 44604

Olympia, WA 98504-4604

Inspection Number: 306424391

Inspection Dates: 09/03/2003 - 12/30/2003

Issuance Date: 02/20/2004

CSHO ID: L2177

Optional Inspection Nbr: H20393217



Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L

Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 12b Type of Violation: **Serious**

296-800-17005

Quan's Construction Services LLC had not developed and implemented a written chemical hazard communication program that covered carbon monoxide to which employees torch cutting tanks at the Rainier Brewery were exposed.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated: 09/05/2003

Citation 1 Item 12c Type of Violation: **Serious**

296-800-17030

Quan's Construction Services LLC had not provided employees with effective training about carbon monoxide which was present in elevated levels during tank torch cutting activities at the Rainier Brewery.

This violation was corrected at the time of inspection.

The violations above have been grouped because they involve similar or related hazards that may increase the potential for illness and/or injury resulting from an exposure and/or accident.

Date By Which Violation Must be Abated: 09/05/2003

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Inspection Number: 306424391
Inspection Dates: 09/03/2003 - 12/30/2003
Issuance Date: 02/20/2004
CSHO ID: L2177
Optional Inspection Nbr: H20393217



Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L
Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 13 Type of Violation: **Serious**

296-62-07722(1)(c)

Quan's Construction Services LLC had not provided asbestos awareness training to the employees who completed demolition work at the Rainier Brewery, a building complex containing documented asbestos-containing materials.

The asbestos awareness training course must, at a minimum, contain the following elements:

- Health effects of asbestos;
- Locations of ACM and PACM in the building/facility;
- Recognition of ACM and PACM damage and deterioration;
- Requirements in this standard relating to housekeeping; and
- Proper response to fiber release episodes.

Each such employee must be so trained at least once a year.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 1500.00

Department of Labor & Industries
WISHA SERVICES DIVISION
PO Box 44604
Olympia, WA 98504-4604

Inspection Number: 306424391
Inspection Dates: 09/03/2003 - 12/30/2003
Issuance Date: 02/20/2004
CSHO ID: L2177
Optional Inspection Nbr: H20393217



Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L
Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 14 Type of Violation: **Serious**

296-155-110(4)

Quan's Construction Services LLC had not outlined in writing a formal accident-prevention program (APP) tailored to the occupational hazards of the Rainier Brewery worksite.

MESSAGE

The APP shall include:

- How, where, and when to report injuries, including instruction as to the location of first-aid facilities.
- How to report unsafe conditions and practices.
- The use and care of required personal protective equipment.
- The proper actions to take in event of emergencies including the routes of exiting from areas during emergencies.
- Identification of the hazardous gases, chemicals, or materials involved along with the instructions on the safe use and emergency action following accidental exposure.
- A description of the employer's total safety program.
- An on-the-job review of the practices necessary to perform the initial job assignments in a safe manner.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 100.00

Department of Labor & Industries
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PO Box 44604
Olympia, WA 98504-4604

Inspection Number: 306424391
Inspection Dates: 09/03/2003 - 12/30/2003
Issuance Date: 02/20/2004
CSHO ID: L2177
Optional Inspection Nbr: H20393217



Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L
Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 15 Type of Violation: **Serious**

296-155-365(2)(a)

A portable grinding machine being used by Quan's Construction Services LLC employee had not been equipped with safety guards in conformance with the requirements of American National Standards Institute, B7.1-1978, Safety Code for the Use, Care and Protection of Abrasive Wheels.

MESSAGE:

The safety guard shall cover the spindle end, nut, and flange projections. The safety guard shall be mounted so as to maintain proper alignment with the wheel, and the strength of the fastenings shall exceed the strength of the guard.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 200.00

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PO Box 44604
Olympia, WA 98504-4604

Inspection Number: 306424391
Inspection Dates: 09/03/2003 - 12/30/2003
Issuance Date: 02/20/2004
CSHO ID: L2177
Optional Inspection Nbr: H20393217



Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L
Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 16a Type of Violation: **Serious**

296-155-400(1)(i)

Unattended compressed oxygen and propane gas cylinders, being used by the Quan's Construction Services LLC tank torch cutters at the Rainier Brewery worksite, had not been secured in an upright position while being stored.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 200.00

Citation 1 Item 16b Type of Violation: **Serious**

296-155-400(1)(j)

These oxygen cylinders had not been separated from the propane cylinders by a minimum distance of 20 feet or by a noncombustible barrier at least 5 feet high having a fire-resistance rating of at least one-half hour.

This violation was corrected at the time of inspection.

The violations above have been grouped because they involve similar or related hazards that may increase the potential for illness and/or injury resulting from an exposure and/or accident.

Date By Which Violation Must be Abated:	09/05/2003
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Department of Labor & Industries
WISHA SERVICES DIVISION
PO Box 44604
Olympia, WA 98504-4604

Inspection Number: 306424391
Inspection Dates: 09/03/2003 - 12/30/2003
Issuance Date: 02/20/2004
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Optional Inspection Nbr: H20393217



Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L
Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 17 Type of Violation: Serious

296-155-449(2)(a)

The opening through which live temporary wiring entered a Rainier Brewery Building 25 electrical cabinet was not closed. This wiring was being used by Quan's Construction Services LLC. Additionally, unused openings of this electrical cabinet were not effectively closed.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 500.00

Citation 1 Item 18 Type of Violation: Serious

296-155-480(2)(d)

Quan's Construction Services LLC employees were reaching the upper portions of tanks being torch cut by leaning self-supporting ladders against the tank walls. This use is not the purpose for which these ladders were designed.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 750.00

Department of Labor & Industries

WISHA SERVICES DIVISION

PO Box 44604

Olympia, WA 98504-4604

Inspection Number: 306424391

Inspection Dates: 09/03/2003 - 12/30/2003

Issuance Date: 02/20/2004

CSHO ID: L2177

Optional Inspection Nbr: H20393217



Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L

Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 19 Type of Violation: Serious

296-155-505(6)(a)

In Building 21 of the Rainier Brewery, Quan's Construction Services LLC employees reached the handwashing station and break area by crossing a wet walkway with a trip hazard that had unguarded fall hazards of 4 feet or more on both sides.

MESSAGE

Every open sided floor, platform or surface four feet or more above adjacent floor or ground level shall be guarded by a standard railing, or the equivalent, as specified in subsection (7)(a) of this section, on all open sides, except where there is entrance to a ramp, stairway, or fixed ladder. The railing shall be provided with a standard toe board wherever, beneath the open sides, persons can pass, or there is moving machinery, or there is equipment with which falling materials could create a hazard.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 750.00

Department of Labor & Industries

WISHA SERVICES DIVISION

PO Box 44604

Olympia, WA 98504-4604

Inspection Number: 306424391

Inspection Dates: 09/03/2003 - 12/30/2003

Issuance Date: 02/20/2004

CSHO ID: L2177

Optional Inspection Nbr: H20393217



Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L

Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 20 Type of Violation: **Serious**

296-155-785(1)

Quan's Construction Services LLC employees were dropping sections of steel tank walls from the upper stories of the Building 22 exterior wall-mounted fire escape without a chute or other means to protect individuals standing at ground level from being hit.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 500.00

Citation 1 Item 21 Type of Violation: **Serious**

296-817-20005

When reasonable observations indicated that employees demolishing tanks at the Rainier Brewery may be exposed to noise levels exceeding an 8-hour time-weighted average of 85 dBA, Quan's Construction Services LLC had not obtained individual or representative noise exposure measurements for all employees exposed at or above this noise level.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 1250.00

Department of Labor & Industries
WISHA SERVICES DIVISION
PO Box 44604
Olympia, WA 98504-4604

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Inspection Dates: 09/03/2003 - 12/30/2003
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CSHO ID: L2177
Optional Inspection Nbr: H20393217



Citation and Notification of Penalty

Company Name: QUAN'S CONSTRUCTION SERVICES L
Inspection Site: 3100 Airport Way S former Rainier Brewery, Seattle, WA 98101

Citation 1 Item 22 Type of Violation: **Serious**

296-817-20015

Quan's Construction Services LLC was not providing hearing protection at no cost to employees demolishing tanks at the Rainier Brewery whose noise exposure exceeded an 8-hour time-weighted average of 85 dBA.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 1250.00

Citation 1 Item 23 Type of Violation: **Serious**

296-817-20035

Quan's Construction Services LLC had not established a mandatory audiometric testing program for employees demolishing tanks at the Rainier Brewery whose noise exposures exceeded an 8-hour time-weighted average of 85 dBA.

This violation was corrected at the time of inspection.

Date By Which Violation Must be Abated:	09/05/2003
Proposed Penalty:	\$ 1250.00